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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inter Application

Inventor(s): Timothy Breeden and Doug Dew  
Appln. No.: 10/733,989  
Confirm. No.: 2063  
Filed: December 11, 2003  
Title: SYSTEM AND METHOD FOR  
SOFTWARE APPLICATION  
DEVELOPMENT IN A PORTAL  
ENVIRONMENT

PATENT APPLICATION

Art Unit: Unassigned  
Examiner: Unassigned

Customer No.: 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop PETITIONS, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on April 25, 2006.

(Agent Signature)

Karl Kenna, Reg. No.: 45,445  
Signature Date: April 25, 2006

**REQUEST FOR RECONSIDERATION OF PETITION  
UNDER 37 C.F.R. 1.47(a)**

Mail Stop PETITIONS  
Commissioner for Patents  
Washington, DC 20231

Sir:

This Request for Reconsideration of Petition under 37 C.F.R. §1.47(a) is in reply to the Decision Refusing Status Under 37 C.F.R. 1.47 mailed by the Office on November 25, 2005. The present Request for Reconsideration addresses the deficiencies that were noted in that Decision.

A Petition for Extension of Time is also submitted herewith, together with the appropriate fee.

## **Declaration**

Applicants, through their undersigned attorney, hereby petition the Commissioner to accept this Request for Reconsideration of Petition Under 37 C.F.R. §1.47(a). Applicants make the following declaration:

### REQUEST FOR RECONSIDERATION OF PETITION

1. Inventor Doug Dew, a former employee of BEA Systems, Inc., is a joint inventor in the above-identified application.

2. From June 8, 2004 through April 14, 2005, Applicants' attorney, in his customary practice of obtaining executed formal papers, attempted to contact Mr. Dew several times, including on June 8, 2004; June 15, 2004; July 15, 2004; August 24, 2004; August 26, 2004; September 13, 2004; December 6, 2004; January 18, 2005; April 7, 2005; and April 13, 2005. A copy of each communication has been previously provided to the Office together with Applicants' Request for Reconsideration of Petition filed on April 25, 2005.

3. Several of the above-referenced communications to Mr. Dew included a complete copy of the application (including Specification, Claims, and Drawings), together with a set of formal papers (Declaration and Assignment) for signing by the inventor. An example is the letter mailed to Mr. Dew on June 15, 2004, a copy of which letter is attached herewith for convenience. Others of the above-referenced communications included only the formal papers.

4. In the Decision Refusing Status Under 37 C.F.R. 1.47 mailed November 25, 2005, the Office noted that a grantable petition under 37 C.F.R. 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. The Decision further noted that Applicant lacked item (2); namely a declaration, executed by the available inventor, in which the citizenship of the nonsigning inventor is provided, with the signature block of the nonsigning inventor left blank.

5. Accordingly, Applicant is submitting herewith item (2), namely a declaration, executed by the available inventor, which has been amended to show the citizenship of the nonsigning inventor, and in which the signature block of the nonsigning inventor has been left blank. Applicant respectfully submits that the declaration as amended now conforms to the

requirements of 37 C.F.R. 1.63.

6. Inventor Doug Dew's last known contact information is 2545 W. Springfield, Apt. 6, Champaign, IL 61821. Mr. Dew's last known email address is doug@dew.name.

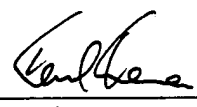
7. Accordingly, Applicants' attorney respectfully request that the Commissioner reconsiders this Petition on behalf of the other signing inventor, and proceeds with the prosecution of this application.

8. A Petition for Extension of Time is submitted herewith, together with the appropriate fee (\$1020.00). The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325.

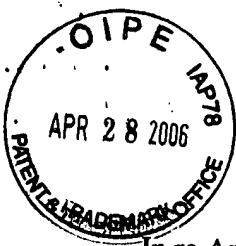
Respectfully submitted,

FLIESLER MEYER LLP

Date: April 25, 2006

By:   
Karl Kenna  
Reg. No. 45,445

FLIESLER MEYER LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
(415) 362-3800



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

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APPLICATION DEVELOPMENT IN  
A PORTAL ENVIRONMENT

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DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor (if one name is listed below), or first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR SOFTWARE APPLICATION  
DEVELOPMENT IN A PORTAL ENVIRONMENT

the specification of which (check applicable ones):

\_\_\_\_\_ is filed herewith;  
☒ was filed with the above-identified and Appln. No. 10/733,989 on December 11, 2003;  
\_\_\_\_\_ was amended on (or amended through) \_\_\_\_\_.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of the application in accordance with Title 37, Code of Federal Regulations, §1.56.

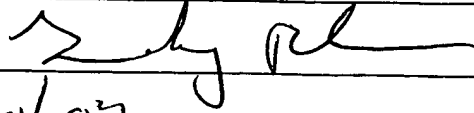
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

(1) Full name of sole  
or first inventor: Timothy Breeden

(1) Residence: 1301 Canyon Blvd., Apt. 309  
Boulder, CO 80302-5364

(1) Mailing Address: 2315 North First Street  
San Jose, CA 95131

(1) Citizenship: United States

(1) Inventor's signature: 

(1) Date: 8/20/07

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(2) Full name of second  
joint inventor: Doug Dew

(2) Residence: ~~4610 Raleigh St.~~ 2545 W. Springfield, Apt. 6  
~~Boulder, CO 80212~~ Champaign, IL 61821

(2) Mailing Address: ~~2315 North First Street~~ 2545 W. Springfield, Apt. 6  
~~San Jose, CA 95131~~ Champaign, IL 61821

(2) Citizenship: United States

(2) Inventor's signature: \_\_\_\_\_

(2) Date: \_\_\_\_\_

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